

**SUSSMAN & ASSOCIATES**

- Attorneys at Law -

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MICHAEL H. SUSSMAN  
JONATHAN R. GOLDMAN

1 Railroad Ave. - Suite 3  
P.O. Box 1005  
Goshen, New York 10924

LEGAL ASSISTANT  
SARAH OSBORNE

CHRISTOPHER D. WATKINS  
of Counsel

(845) 294-3991  
Fax: (845) 294-1623  
sussman1@frontiernet.net

May 12, 2021 – By ECF and email to Mr. Brady [Letter]

Honorable Lewis J. Liman  
United States District Court – SDNY  
500 Pearl Street  
New York, N.Y. 10007-1312

Re: *Sheindlin v. Brady*, 21 cv 01124 (LJL)

Dear Judge Liman,

On May 11, 2021, Mr. Brady filed a response to the Court's orders dated May 10 and May 11. Rather than explain the relevance of any of the testimony he expects to elicit from federal and state judges he has attempted to subpoena [or other persons involved in the resolved state court litigation], Mr. Brady asserts several false claims. I respond so the record is clear.

1. Neither Mr. Sheindlin nor I have ever made any statement undermining the jury verdict in any manner. In state court, Mr. Brady was named as a defendant in his individual capacity. The petit jury returned a verdict awarding damages against him in that capacity and rejected all defenses and counterclaims the trial court presented in His Honor's jury instructions. Nothing uttered at Mr. Sheindlin's deposition disproved anything regarding the verdict or its enforcement.
2. While I have taken positions on applications made by Mr. Brady to this Court, needless to write, I have never had any contact with Your Honor in any form other than that recorded on the court docket, that is, through pleadings, correspondence and appearances at court conferences in this matter. Nor have I any prior relationship of any sort with Your Honor. Nor has Mr. Sheindlin. The insinuations to the contrary are baseless and their repetition serves to undermine public confidence in the integrity of our judicial system. Any suggestion that this court is following my "directives" is insulting to Your Honor and our system of justice.
3. Likewise, I never told Mr. Brady that there "was a plan in place that following discovery you were going to grant Mr. Sheindlin's summary judgment..." And, of course, I never suggested there is any "scheme" in place of any sort. I have explained to Mr.

Brady that I intend to file such a motion, but that is a far different statement. Again, false claims of this sort redound to the detriment of judges and lawyers who take their roles in our legal system seriously.

While I do understand that Your Honor is not responsible for the conduct of any litigant, whether *pro se* or represented by counsel, I do believe the record in this case should include responses to what I can only classify as bizarre representations by Mr. Brady.

Respectfully submitted,

  
Michael H. Sussman

cc: Mr. Brady by email